

DOCKET NO.: MSFT-0174/150793.01
Application No.: 09/577,250
Office Action Dated: December 31, 2003

**PATENT
REPLY FILED UNDER EXPEDITED
PROCEDURE PURSUANT TO
37 CFR § 1.116**

REMARKS

Overview

Claims 1-13, 16-20, and 22-27 are pending in the present application. Claims 1, 16, and 22 have been amended.

Discussion

The Examiner's Amendment accompanying the Notice of Allowance dated June 3, 2004 and the Supplemental Notice of Allowance dated June 11, 2004 noted the telephone interview between the Applicants' undersigned representative and the Examiner that occurred on May 14, 2004. During this telephone interview, specific amendments to the claims in the present Application were discussed, and Applicants' undersigned representative ultimately gave authorization for the Examiner to make specific amendments discussed during said telephone interview. However, Applicants respectfully submit that the actual amendments made to the claims of the present Application in the Examiner's Amendment—specifically, the amendments made to independent Claims 1, 16, and 22—went well beyond the scope of said telephone conversation and include amendments that were not authorized and which are contrary to the interests of the Applicants.

More specifically, Applicants respectfully submit that the only authorized amendments were those amendments specifically discussed with the Examiner (to address what the Examiner indicated to be his only remaining objections to said claims) which focused exclusively on clarifying the term "application dependency information" by amending it (without narrowing the scope of the claims) to "application's state dependency information" throughout Claims 1, 16,

and 22. The Examiner was also given authorization to correct any problems regarding improper antecedent basis (if any), as well as to cancel, without prejudice to Applicants' rights to pursue in a separate application, Claims 14-15 and 21.

However, the aforementioned Examiner's Amendment that subsequently issued based on said telephone interview instead went much further than what was authorized and included the addition of significant new limitations which were not discussed with the Applicants (nor their representative), much less never agreed to, and the Examiner's Amendment also included several additional but unnecessary amendments that could significantly impair the Applicants rights to enforce any allowed claims against potential infringers under the Doctrine of Equivalents and other legal grounds and theories. Therefore, while the Applicants acknowledge and appreciate the Examiner's efforts to further the examination and move the present Application to allowance, Applicants regret any misunderstanding that may have arisen as to the scope of their authorization for amendments, as well as the necessity for additional examination of this case.

For the foregoing reasons, Applicants have amended Claims 1, 16, and 22 to essentially return these claims to their state prior to the Examiner's Amendment and to further include only those amendments to which the Applicants agreed to during the aforementioned telephone interview—that is, to amend the term “application dependency information” in Claims 1, 16, and 22 (without narrowing the scope of the claims) to “application's state dependency information.” Applicants respectfully submit that these amendments—and in light of the telephone interview with the Examiner that these amendments alone—place Claims 1, 16, and 22, as well as claims that depend thereon, in condition for immediate allowance based on the collective arguments

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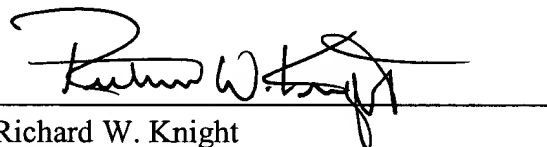
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and rationale previously presented to the Examiner during prosecution of the present Application (the entirety of which is incorporated herein by reference). Therefore, Applicants respectfully request that the Examiner enter the foregoing amendments and proceed to allow Claims 1-13, 16-20, and 22-27 to immediately issue.

CONCLUSION

Applicants believe that the present Amendment is responsive to only outstanding elements of rejection as indicated by the Examiner during the telephone interview that occurred on May 14, 2004, and Applicants therefore submit that Claims 1, 16, and 22 of the application are in condition for allowance. Favorable consideration and passage to issue of the application at the Examiner's earliest convenience is earnestly solicited.

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